

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **In Re Schmidt Estate**
Docket No. **275492**
L.C. No. **03-05886 DE**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The motion to waive fees is GRANTED for this case only.

This appeal and motion for extension of time to file brief are DISMISSED because appellant is not aggrieved by the order of December 18, 2006. In order to appeal appellant must be aggrieved. See MCR 7.203(A). A review of the motion that resulted in the December 18, 2006, order shows a dispute between the estate of Karl James Schmidt, through the personal representative, and Maretta Hampton with the property being awarded to the estate. This benefits the appellant who asserts he is beneficiary of the estate. Furthermore, a review of the docketing statement shows that it is not the December 18, 2006, order that is being appealed, because the issue raised is the alleged failure at this point to distribute the estate, an issue that is not addressed in the December 18, 2006, order. Appellant cannot use the December 18, 2006, order to raise an issue that may have been decided in earlier orders and not the December 18, 2006, order.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 21 2007

Date

Sandra Schultz Mengel
Chief Clerk